

# Notice of Allowability

## Application No.

10/042,647

## Examiner

Antonio A Caschera

## Applicant(s)

PERLIN, KENNETH

## Art Unit

2676

### -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment B, filed 08/05/2004.
2. ☒ The allowed claim(s) is/are 5, 12, 13, 15, 19 and 20.
3. ☒ The drawings filed on 02 January 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

## **DETAILED ACTION**

### ***Priority***

1. Acknowledgment is made of applicant's claim for priority under 35 U.S.C. 119(e).

### ***Response to Arguments***

2. The cancellation of claims 1-4, 6-11, 14 and 16-18 has been noted along with the addition of claims 19 and 20.
3. Applicant's arguments, see page 6, filed 8/5/2004, with respect to the Oath/Declaration have fully considered and are persuasive. The objection to the Oath/Declaration has been withdrawn since informalities have been corrected.
4. Applicant's arguments, see pages 6-7, filed 8/5/2004, with respect to the 112, 1<sup>st</sup> paragraph rejection of claims 9, 11 and 15, have been fully considered and are persuasive. The 112, 1<sup>st</sup> paragraph rejection of claims 9, 11 and 15 has been withdrawn since a concise explanation of the claim limitations has been performed.

### ***Allowable Subject Matter***

4. Claims 5, 12, 13, 15, 19 and 20 are allowed. Note, previously objected/rejected claims have been written in independent form including all of the previously indicated allowable subject matter.

In reference to claim 5, the prior art of record (Morris (U.S. Patent 6,088,036) and Perlin, "An Image Synthesizer.") does not explicitly disclose producing images with texture, including a

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gradient of the image, by way of a bit-manipulation, generating a six bit quantity from an integer lattice point using the equation and defined "b()" function comprised within the claim, in combination with the further limitations of claim 5.

In reference to claim 12, claim 12 is allowed since it is dependent upon allowable claim 19.

In reference to claim 13, claim 13 is allowed since it is dependent upon allowable claim 12.

In reference to claim 15, claim 15 is allowed since it is dependent upon allowable claim 20.

In reference to claim 19, the prior art of record (Morris (U.S. Patent 6,088,036) and Perlin, "An Image Synthesizer.") does not explicitly disclose producing images with texture by placing an input point onto a simplicial grid, skewing the point as defined by the equations comprised within the claim, in combination with the further limitations of claim 19.

In reference to claim 20, the prior art of record (Morris (U.S. Patent 6,088,036) and Perlin, "An Image Synthesizer.") does not explicitly disclose decomposing a hypercube into  $n!$  simplices where each simplex corresponds to an ordering of an edge traversal of the hypercube from its lowest vertex  $(0,0...0)$  to its upper vertex  $(1,1...1)$ , in combination with further limitations of claim 20.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Antonio Caschera whose telephone number is (703) 305-1391. The examiner can normally be reached Monday-Thursday and alternate Fridays between 7:00 AM and 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella, can be reached at (703)-308-6829.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

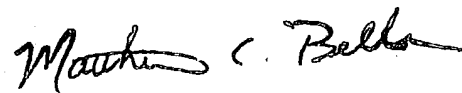
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

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aac

10/6/04

A handwritten signature in black ink, reading "Matthew C. Bella". The signature is written in a cursive, flowing style.

MATTHEW C. BELLA  
SENIOR PATENT EXAMINER  
TECHNOLOGY CENTER 2600